

REMARKS

The Examiner's comments together with the cited references have been carefully studied. Favorable reconsideration in view of the foregoing amendments and following remarks is respectfully requested.

Claims 25-45 are pending in the application and have been rejected. Favorable reconsideration of the application in view of the following remarks is respectfully requested.

Relying on 35 U.S.C. §102(b), the Examiner rejected claims 25-45 as being anticipated by O'Connor. Applicant respectfully traverses the Examiner's rejection, and requests reconsideration. Applicant respectfully submits that a rejection for lack of novelty under Section 102(b) requires that the invention must be identically disclosed or described in the reference. Applicant respectfully submits that important and material limitations of their invention as claimed are not disclosed in the reference.

Applicant respectfully submits that O'Connor, et al. do not disclose, teach, or suggest a fusible, porous ink-receptive layer comprising fusible, polymeric particles in a binder, as required by the claims. The Examiner's attention is directed to paragraph [0031] to [0033] of O'Connor. Paragraph [0031] states that the ink-retaining layer includes, for example, silica or alumina in a polymeric binder. Such materials are not fusible, polymeric particles. Likewise, paragraph [0033] refers to open-pore membranes. An open-pore membrane has neither binder nor fusible, polymeric particles, since it is a continuous polymeric matrix defining interconnected voids, as will be readily appreciated by the skilled artisan.

It is also noted that O'Connor specifically mentions fusing of the fusible, porous ink-transporting layer, corresponding to Applicants' ink-transporting layer, but nowhere does, states nor even remotely suggests fusing of the image-receiving layer under the ink-transporting layer. (See the O'Connor patent, including specification, summary, description, example, and claims.) In contrast, Applicants' claimed method require, as explicitly stated in Step (E) of claim 1, that both the ink-receptive layer and the ink-retaining layer are fused.

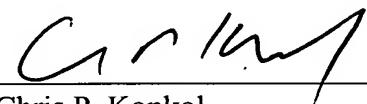
Applicant therefore respectfully requests that the Examiner reconsider and withdraw the rejection of the claims under 35 U.S.C. §102(b).

Applicants have reviewed the prior art made of record and believe that singly or in any suitable combination, they do not render Applicants' claimed invention unpatentable.

In view of the foregoing remarks and amendment, the claims are now believed allowable and such favorable action is courteously solicited.

Should the Examiner consider that additional amendments are necessary to place the application in condition for allowance, the favor is requested of a telephone call to the undersigned counsel for the purpose of discussing such amendments.

Respectfully submitted,



Chris P. Konkol
Attorney for Applicant(s)
Registration No. 30,721

CPK:clb
Rochester, NY 14650
Telephone: (585) 722-0452
Facsimile: (585) 477-1148